

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JOHN DOE,

Plaintiff,

v.

CHARTER COMMUNICATIONS LLC,
HIRERIGHT LLC, and PAUL
FERGUSON, Clerk of the Circuit Court of
Arlington County, Virginia,

Defendant.

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1:23-CV-1458-DII

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Plaintiff John Doe's ("Plaintiff") complaint pursuant to 28 U.S.C. § 1915(e), 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. (R. & R., Dkt. 8). In her report and recommendation, Judge Hightower recommends that the Court dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B). (*Id.* at 2). Plaintiff timely filed objections to the report and recommendation. (Objs., Dkt. 10).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Plaintiff timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiff's objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 8), is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**. Plaintiff's motion to seal, (Dkt. 11), is **DENIED**. Plaintiff's motion for leave to amend, (Dkt. 12), is **DENIED** as frivolous for the reasons set forth in the report and recommendation, (R. & R., Dkt. 8, at 7).

The Court will enter final judgment by separate order.

SIGNED on January 22, 2024.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE